

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN EARL COTTINGHAM,

CV. 08-1034-MA

Petitioner,

ORDER

v.

J.E. THOMAS, Warden,

Respondent.

MARSH, Judge

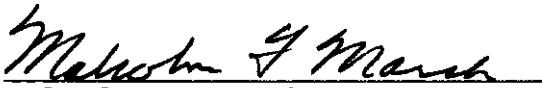
Petitioner brings this habeas corpus proceeding pursuant to 28 U.S.C. § 2241. Petitioner's application to proceed *in forma pauperis* (#1) is GRANTED. The petition may go forward without the payment of fees or costs.

Petitioner's motion for an injunction (#4) is DENIED on the basis that petitioner has failed to demonstrate the requisite showing for a temporary restraining order (Fed. R. Civ. P. 65(b)), and in light of the fact that respondent has not been served with the petition or petitioner's motion for injunctive relief (Fed. R. Civ. P. 65(a)(1)). This action shall proceed in accordance with the scheduling order issued this date.

Petitioner's motion for appointment of counsel (#3) is GRANTED. The Federal Public Defender, 101 S.W. Main, Suite 1700, Portland, Oregon 97204, is appointed to represent petitioner in this proceeding. See 18 U.S.C. § 3006A(a)(2)(B). The Clerk is directed to send the Federal Public Defender a copy of the petition.

IT IS SO ORDERED.

DATED this 1 day of October, 2008.


Malcolm F. Marsh
United States District Judge